

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**DANNY RICKY HEADLEY,** )  
    **Plaintiff,** )  
 )  
v. )  
 )  
**CHILTON COUNTY (CHILTON** )  
**COUNTY SHERIFF'S DEPARTMENT),** )  
**CHRIS MATURI (INDIVIDUALLY** )  
**AND IN HIS OFFICIAL CAPACITY),** )  
**NEELY STRENGTH(INDIVIDUALLY** )  
**AND IN HIS OFFICIAL CAPACITY)** )  
    **Defendants.** )

**Case No: 2:06-cv-01083**

**MOTION TO DISMISS**

**COMES NOW** the Plaintiff, Danny Ricky Headley, by and through Counsel, and hereby moves this Honorable Court dismiss the above cause of action and as reason therefore states as follows:

1. That Counsel as been informed that the Defendant, Neely Strength, has recently passed away.
2. That the testimony of said Defendant was a necessary and vital aspect of the cause of action.
3. That without said testimony the Plaintiff believes that to pursue said cause of action would be futile.
4. That a stipulation of dismissal is being signed by the attorney's involved with said cause of action and will be filed with this Court immediately upon receiving all signatures.

**WHEREFORE** the premises considered, the Plaintiff prays this Honorable Court  
will dismiss, with prejudice, the above cause of action.

/s/ Roianne Houlton Conner  
Roianne Houlton Conner

OF COUNSEL:  
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**CERTIFICATE OF SERVICE**

I hereby certify that I have filed the foregoing upon the clerk of the Court using  
the CM.ECF system which will send notification of such filing to the following:

George W. Royer, Jr.  
200 West Side Square  
Suite 5000  
Huntsville, Alabama 35801

Steven M. Sirmon  
Ala. Bd. Pardons and Paroles  
Post Office Box 302405  
Montgomery, Alabama 36130

/s/ Roianne Houlton Conner  
Roianne Houlton Conner